

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY EIGHTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

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WRIT PETITION NO : 19711 of 2004

Between:

Ponnamma, W/o.Late Krishnaiah,
R/o.Iruvaram village, Chittoor Mandal,
Now R/o.4-1917, Durganagar Colony, Chittoor Dist.

..... PETITIONER

AND

- 1 The Joint Collector, Chittoor Dist.
- 2 The Revenue Divisional officer, Chittoor Dist.
- 3 The Mandal Revenue officer, Yadamari Mandal, Chittoor Dist.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction more particularly one in the nature of "writ of Mandamus" declaring the action of the respondents in assigning the lands to an extents of AC.0-88 Cents, Ac.0-32 cents, Ac.0-60 cents in sy.Nos.352/1, 352/2, 352/3 situated at 70.Jangalapalli village, Yadamari Mandal, Chittoor District to third parties as illegal, unjust, arbitrary, contrary to law and consequently directing the respondents not to assign the subject dry lands to third parties.

Counsel for the Petitioner:MR.S.V.MUNI REDDY

Counsel for the Respondents: GP FOR REVENUE

The Court at the stage of admission made the following ORDER:

No cause of action arises to entertain the writ petition on the allegation that the respondents are taking steps to assign the lands of the petitioner to some third parties without cancelling the assignment made in favour of the petitioner. It cannot be presumed that the respondents will not follow due procedure of law for cancellation of the assignment made in favour of the petitioner since they are bound to follow the necessary procedure for cancelling the assignment made in favour of the petitioner or for resumption of the lands enabling them to assign to third parties, if any.

The writ petition is accordingly dismissed. No costs.

28th OCTOBER, 2004.

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To

- 1 The Joint Collector, Chittoor District.
- 2 The Revenue Divisional officer, Chittoor District.
- 3 The Mandal Revenue officer, Yadamari Mandal, Chittoor District.
- 4 Two CCs to the Government Pleader for Revenue, A.P.High Court Buildings, Hyderabad (OUT)
- 5 Two CD copies.